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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,102	07/20/2000	Purushottam Yeluripati	BEL-003	2746

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EXAMINER
ANYA, CHARLES E

ART UNIT	PAPER NUMBER
2126	7

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/620,102	YELURIPATI ET AL.
		Examiner	**Art Unit**
		Charles E Anya	2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3/* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *23 July 2003* .

2a) ☒ This action is **FINAL**.　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-19* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 6 – 12, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Pospisil et al (On Performance of Enterprise JavaBeans

pages 1 – 11) in view of U.s. Pat. No. 6,510,550 B1 to Hightower et al.

As to claim 1, Pospisil teaches a plurality of users ("...clients..." page 2 lines 16 –

24, figure 1, "...multiple clients..." page 3 lines 27 – 30), one Application Server (EJB

Server page 2 lines 5 – 24), an Application Program (EJB Server page 2 lines 5 – 24), a

Client Program ("...clients..." page 2 lines 16 – 24, figure 1), a Client Interface Program

("...home interface...", "...remote interface..." page 2 lines 19 – 24), a Service Manager

bean (JNDI page 3 lines 3 – 7), a Handle ("...reference..." page 3 lines 3 – 7), a

Functional Bean ("...bean..." pages 3 lines 1 – 26), a Data Store Interface (JDBC API

page 3 lines 36 – 45).

Pospisil is silent with reference to memory for queuing customer/client request.

Hightower teaches a memory for queuing customer/client request ("...data store..." Col.

8 Ln. 27 – 45). It would have been obvious to apply the teaching of Hightower to the

system of Pospisil. One would have been motivated to make such a modification

because it allows the customer/client continuous use of local application (Col. 8 Ln. 42 –
45).

As to claim 2, Pospisil teaches an EJBObject ("...home interface..." page 2 lines
19 – 24).

As to claim 4, Pospisil teaches providing transactional persistence to a client
transaction ("...persistence" page 2 Ln. 10 – 14).

As to claim 6, Pospisil teaches the client as an application (("...clients..." page 2
lines 16 – 24, figure 1), an EJBObject' Remote Interface ("...bean's remote interface..."
page 3 lines 3 – 7) and RMI over TCP/IP or IOP (Distribution Mechanism page 6 lines 5
– 11).

As to claim 7, claim 1 covers claim 7 expect for a plurality of sets of functional
beans, a particular business method, a microprocessor, a memory device, a least one
of a plurality of resources, a loading-sharing program.

Pospisil teaches a plurality of sets of functional beans (object bean figure 1 page 2), at
least one functional bean ("...bean..." page 2 lines 20 – 24), a particular business
method ("...business methods..." page 2 lines 20 – 24), a microprocessor and a
memory device (This limitations are inherent in figure 1 page 2, because the structure of
the EJB server includes microprocessor and memory device for program execution), a
least one of a plurality of resources (bean object figure 1), a loading-sharing program
(Scalability page 7 lines 20 – 30) and a Criterion (Number of clients Number of bean
instances page 7 lines 23 – 36).

As to claim 8, see the rejection of claim 7.

As to claim 9, see the rejection of claim 7.

As to claim 10, see the rejection of claim 7.

As to claim 11, Pospisil teaches receiving the first and second request from a client via a computer network ("...beans remote interface..." page 2 lines 20 – 24, page 3 lines 1- 7).

As to claim 12, see the rejection of claim 8.

As to claim 14, Pospisil teaches the instruction that allows a client to create a session ("...home interface..." page 2 lines 20 – 24,page 3 lines 1 – 2) and instructions that allows a business method to be invoked ("...business method..." page 3 lines 3 – 7).

As to claim 16, see the rejection of claim 8.

As to claim 17, Pospisil teaches finding a functional bean if system resources are not available (Finder methods..." page 3 lines 1 – 2).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pospisil et al. (On Performance of Enterprise JavaBeans pages 1 - 11) in view of U.S. Pat. No. 6,510550 to Hightower et al. as applied to claim 1 above, and further in view of U.S. Pat. No. 2002/0104071 A1 to Charisius et al.

As to claim 3, Pospisil is silent with reference to a modified entity bean.

Charisius teaches a modified entity bean (paragraph 0020 lines 63 – 67, 1 – 9). It would have been obvious to apply the teaching of Charisius to the system of Pospisil. One would have been motivated to make such a modification to provide a modified security behavior (paragraph 0020 lines 5 – 9).

Claims 5, 13 and 15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Pospisil et al (On Performance of Enterprise JavaBeans) in

view of U.S. Pat. No. 6,510,550 to Hightower et al. as applied to claim 10 above,

and further in view of Matena et al. (Sun Microsystems Enterprise JavaBeans).

As to claim 5, Pospisil is silent with reference to the client being web-based.

Matena teaches the client as being web-based ("...HTTP..." page 112 lines 7 –10). It

would have been obvious to apply the teaching of Matena to the system of Pospisil.

One would have been motivated to make such modification to provide a servlet

invocation (page 112 lines 7 – 10).

As to claim 13, Pospisil is silent with reference to a functional bean

instantiating/creating another functional bean.

Matena teaches functional bean instantiating/creating another functional bean (Update

of multiple of databases page 96 lines 18 – 26, page 97 lines 1 – 16: NOTE: Although

instantiating/creating is not explicitly taught in the invocation/call of Bean Y, if it does not

exist the home interface would have to instantiate/create it). It would have been obvious

to apply the teaching of Matena to the system of Pospisil as modified. One would have

been motivated to make such a modification to provide updates to several databases

(page 96 lines 18 – 26).

As to claim 15, Pospisil teaches creating/instantiating of an Entity Enterprise

JavaBean ("...bean object..." page 3 lines 3 – 7) and invoking methods contained in the

entity enterprise javabean ("...Business method..." page 3 lines 3 – 7).

Pospisil does not explicitly teach logic that maps a particular entity and methods to perform actions on the particular entity.

Matena teaches logic that maps a particular entity and methods to perform actions on the particular entity (page 59 lines 1 – 20, page 62 lines 1 – 40). It would have been obvious to apply the teaching of Matena to the system of Pospisil as modified. One would have been motivated to make such a modification to provide service to an invocation (page 62 lines 13 - 18).

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,298,478 B1 to Nally et al. in view of U.S. Pat. 6,510,550 to Hightower et al.

As to claim 18, Nally teaches an Object-Oriented Middleware Component (Entity Version Bean 520 Col. 13 Ln. 4 – 44), Functional Bean (EJB 500), a derived class/ adding a set of computer- execution instructions (logic or behavior 540..." Col. 13 Ln. 21 – 44, Business Logic 540 figure 5), using the set of computer-executable instructions to provide transactional access (Col. 13 Ln. 35 – 44) and a Pool of Scarce system resource (Version 520, Version 521, Version 522 Col. 13 Ln. 56 – 65).

Nally is silent with respect to the step of allowing client requests to be queued. Hightower the step of allowing client requests to be queued ("...data store..." Col. 8 Ln. 27 – 45). It would have been obvious to apply the teaching of Hightower to the system of Nally. One would have been motivated to make such a modification because it allows the customer/client continuous use of local application (Col. 8 Ln. 42 – 45).

As to claim 19, Nally teaches the object-oriented middleware component as an entity Enterprise JavaBean (EJB 500).

Response to Arguments

2.   Applicant's arguments filed 7/23/03 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., functional beans that maps an object to a function rather than to a data element) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. The argued limitation is not brought out in the claims and as such not considered.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper.

Conclusion

3.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Charles E Anya whose telephone number is (703) 305-

3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off.

The fax phone numbers for the organization where this application or proceeding

is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for

After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Charles E Anya
Examiner
Art Unit 2126

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100